



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREEN *et al.*

Appl. No.: 10/069,626

Filed: July 25, 2002

For: **Treatment Methods Using Human  
B Lymphocyte Activation Antigen  
B7 Family Members**

Confirmation No.: 3311

Art Unit: 1644

Examiner: Ilia I. Ouspenski

Atty. Docket: 2159.0960004/EKS/PAC

**Information Disclosure Statement Under 37 C.F.R. § 1.97(c)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

*Mail Stop Amendment*

03/22/2006 SZEWIDIE1 00009105 10069626

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Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

Applicants' would like to bring to the attention of the Examiner that, for the following document, the publication month could not be determined to the best of the Applicants' ability: NPL6, Greenfield, E.A., *et al.*, "CD28/B7 Costimulation: A Review," *Crit. Rev. Immunol.* 18:389-418, Begell House, Inc. (1998).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

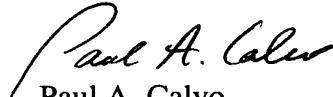
This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 3/21/2006

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March 21, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Art Unit 1644

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application  
Application No. 10/069,626; Filed: July 25, 2002  
For: Treatment Methods Using Human B Lymphocyte  
Activation Antigen B7 Family Members  
Inventors: GREEN *et al.*  
Our Ref: 2159.0960004/EKS/PAC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. One page of Form PTO/SB/08A listing two documents (FP1 and FP2);
3. Two pages of Form/PTO/SB/08B listing 17 documents (NPL1-NPL17);
4. Copies of documents FP1, FP2 and NPL1-NPL17 as listed on Forms PTO/SB/08A and PTO/SB/08B;
5. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the Information Disclosure Statement Fee; and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
March 21, 2006  
Page 2

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Paul A. Calvo  
Agent for Applicants  
Registration No. 57,913

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<b>1449/PTO</b>		<b>Application Number</b>	<b>10/069,626</b>		
<b>Filing Date</b>		<b>July 25, 2002</b>			
<b>First Named Inventor</b>		<b>Cynthia GREEN</b>			
<b>Art Unit</b>		<b>1644</b>			
<b>Examiner Name</b>		<b>Ilia I. Ouspenski</b>			
<b>Sheet</b>	<b>1</b>	<b>of</b>	<b>1</b>	<b>Attorney Docket Number</b>	<b>2159.0960004/EKS/PAC</b>

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Application Number	10/069,626
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First Named Inventor	Cynthia GREEN
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Examiner Name	Ilia I. Ouspenski

Attorney Docket Number

2159.0960004/EKS/PAC

**NON PATENT LITERATURE DOCUMENTS**

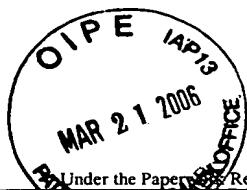
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Abbas, A.K. and Sharpe, A.H., "T-cell stimulation: an abundance of B7s," <i>Nat. Med.</i> 5:1345-1346, Nature America, Inc. (December 1999)	
	NPL2	Branch, A.D., "A good antisense molecule is hard to find," <i>Trends Biochem. Sci.</i> 23:45-50, Elsevier Science Ltd. (February 1998)	
	NPL3	Chapoval, A.I., <i>et al.</i> , "B7-H3: A costimulatory molecule for T cell activation and IFN- $\gamma$ production," <i>Nat. Immunol.</i> 2:269-274, Nature America, Inc. (March 2001)	
	NPL4	Dong, H., <i>et al.</i> , "B7-H1, a third member of the B7 family, co-stimulates T-cell proliferation and interleukin-10 secretion," <i>Nat. Med.</i> 5:1365-1369, Nature America, Inc. (December 1999)	
	NPL5	Freeman, G.J., <i>et al.</i> , "Structure, Expression, and T Cell Costimulatory Activity of the Murine Homologue of the Human B Lymphocyte Activation Antigen B7," <i>J. Exp. Med.</i> 174:625-631, The Rockefeller University Press (1991)	
	NPL6	Greenfield, E.A., <i>et al.</i> , "CD28/B7 Costimulation: A Review," <i>Crit. Rev. Immunol.</i> 18:389-418, Begell House, Inc. (1998)	
	NPL7	Janeway, C.A., <i>et al.</i> , eds., "Chapter 7. The Adaptive Immune Response," in: <i>Immunobiology - The Immune System in Health and Disease</i> , 3 <sup>rd</sup> Ed., Garland Publishing Inc., New York, NY, pp. 7:1-7:44 (1997)	
	NPL8	Ling, V., <i>et al.</i> , "Cutting Edge: Identification of GL50, a Novel B7-Like Protein That Functionally Binds to ICOS Receptor," <i>J. Immunol.</i> 164:1653-1657, The American Association of Immunologists (February 2000)	
	NPL9	Linsley, P.S., <i>et al.</i> , "Extending the B7 (CD80) gene family," <i>Prot. Sci.</i> 3:1341-1343, Cambridge University Press (1994)	
	NPL10	Mountain, A., "Gene therapy: the first decade," <i>Trends Biotechnol.</i> 18:119-128, Elsevier Science Ltd. (March 2000)	

Examiner Signature		Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Application Number	10/069,626
Filing Date	July 25, 2002
First Named Inventor	Cynthia GREEN
Art Unit	1644
Examiner Name	Ilia I. Ouspenski

Attorney Docket Number

2159.0960004/EKS/PAC

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
	NPL11	Nishimura, Y., <i>et al.</i> , "Molecular cloning of the cDNAs encoding the feline B-lymphocyte activation antigen B7-1 (CD90) and B7-2 (CD86) homologues which interact with human CTLA4-Ig," <i>Eur. J. Immunogen.</i> 27:427-430, Blackwell Science Ltd. (December 2000)	
	NPL12	Selvakumar, A., <i>et al.</i> , "Genomic organization and chromosomal location of the human gene encoding the B-lymphocyte activation antigen B7," <i>Immunogen.</i> 36:175-181, Springer International (1992)	
	NPL13	Skolnick, J. and Fetrow, J.S., "From genes to protein structure and function: novel applications of computational approaches in the genomic era," <i>Trends Biotechnol.</i> 18:34-39, Elsevier Science Ltd. (January 2000)	
	NPL14	Swallow, M.M., <i>et al.</i> , "B7h, a Novel Costimulatory Homolog of B7.1 and B7.2, Is Induced by TNF $\alpha$ ," <i>Immunity</i> 11:423-432, Cell Press (October 1999)	
	NPL15	Thompson, C.B., "Distinct Roles for the Costimulatory Ligands B7-1 and B7-2 in T Helper Cell Differentiation?," <i>Cell</i> 81:979-982, Cell Press (1995)	
	NPL16	Voet, S. and Voet, J.G., "3. Chemical Evolution," in: <i>Biochemistry</i> , John Wiley & Sons, New York, NY, pp. 126-230 (1990)	
	NPL17	Zhang, D. and Johnson, R.P., "Molecular Cloning and Comparative Analysis of the Rhesus Macaque Costimulatory Molecules CD80 (B7-1) and CD86 (B7-2)," <i>Cellul. Immunol.</i> 177:9-17, Academic Press (1997)	

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